

Pro Se 1 (Rev. 12/16) Complaint for a Civil Case

## UNITED STATES DISTRICT COURT

for the

Southern District of West Virginia

Bluefield Division

**FILED****MAR 15 2019**RORY L. PERRY II, CLERK  
U.S. District Court  
Southern District of West Virginia

Larry A. Young

Case No. 1:19-cv-00186

(to be filled in by the Clerk's Office)

Plaintiff(s)

(Write the full name of each plaintiff who is filing this complaint. If the names of all the plaintiffs cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

-v-

Jury Trial: (check one) ☒ Yes ☐ No

Steven A. Sommers

&amp;

T.A. Lacy

Defendant(s)

(Write the full name of each defendant who is being sued. If the names of all the defendants cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

**COMPLAINT FOR A CIVIL CASE****I. The Parties to This Complaint****A. The Plaintiff(s)**

Provide the information below for each plaintiff named in the complaint. Attach additional pages if needed.

|                    |                                 |
|--------------------|---------------------------------|
| Name               | <u>Larry A. Young</u>           |
| Street Address     | <u>Post Office Box 538</u>      |
| City and County    | <u>Lashmeet; Mercer County</u>  |
| State and Zip Code | <u>West Virginia; 24733</u>     |
| Telephone Number   | <u>304-920-1044</u>             |
| E-mail Address     | <u>young.larry222@gmail.com</u> |

**B. The Defendant(s)**

Provide the information below for each defendant named in the complaint, whether the defendant is an individual, a government agency, an organization, or a corporation. For an individual defendant, include the person's job or title (if known). Attach additional pages if needed.

Pro Se 1 (Rev. 12/16) Complaint for a Civil Case

## Defendant No. 1

|                                  |  |
|----------------------------------|--|
| Name                             | Steven A. Sommers                        |
| Job or Title <i>(if known)</i>   | Chief Detective Sergeant; Deputy Sheriff |
| Street Address                   | 1501 West Main Street; Suite 31          |
| City and County                  | Princeton; Mercer County                 |
| State and Zip Code               | West Virginia; 24740                     |
| Telephone Number                 | 304-487-8364                             |
| E-mail Address <i>(if known)</i> |  |

## Defendant No. 2

|                                  |                                 |
|----------------------------------|---------------------------------|
| Name                             | T.A. Lacy                       |
| Job or Title <i>(if known)</i>   | Deputy Sheriff                  |
| Street Address                   | 1501 West Main Street; Suite 31 |
| City and County                  | Princeton, Mercer County        |
| State and Zip Code               | West Virginia; 24740            |
| Telephone Number                 | 304-487-8364                    |
| E-mail Address <i>(if known)</i> |                                 |

## Defendant No. 3

|                                  |  |
|----------------------------------|--|
| Name                             |  |
| Job or Title <i>(if known)</i>   |  |
| Street Address                   |  |
| City and County                  |  |
| State and Zip Code               |  |
| Telephone Number                 |  |
| E-mail Address <i>(if known)</i> |  |

## Defendant No. 4

|                                  |  |
|----------------------------------|--|
| Name                             |  |
| Job or Title <i>(if known)</i>   |  |
| Street Address                   |  |
| City and County                  |  |
| State and Zip Code               |  |
| Telephone Number                 |  |
| E-mail Address <i>(if known)</i> |  |

**II. Basis for Jurisdiction**

Federal courts are courts of limited jurisdiction (limited power). Generally, only two types of cases can be heard in federal court: cases involving a federal question and cases involving diversity of citizenship of the parties. Under 28 U.S.C. § 1331, a case arising under the United States Constitution or federal laws or treaties is a federal question case. Under 28 U.S.C. § 1332, a case in which a citizen of one State sues a citizen of another State or nation and the amount at stake is more than \$75,000 is a diversity of citizenship case. In a diversity of citizenship case, no defendant may be a citizen of the same State as any plaintiff.

What is the basis for federal court jurisdiction? *(check all that apply)*

☒ Federal question ☐ Diversity of citizenship

Fill out the paragraphs in this section that apply to this case.

**A. If the Basis for Jurisdiction Is a Federal Question**

List the specific federal statutes, federal treaties, and/or provisions of the United States Constitution that are at issue in this case.

Title 28 U.S.C. Section 1331;  
Constitutional Amendments I - II - IV - V - VI - VII - VIII & XIV

**B. If the Basis for Jurisdiction Is Diversity of Citizenship****1. The Plaintiff(s)****a. If the plaintiff is an individual**

The plaintiff, *(name)* N/A, is a citizen of the  
State of *(name)* N/A.

**b. If the plaintiff is a corporation**

The plaintiff, *(name)* N/A, is incorporated  
under the laws of the State of *(name)* N/A,  
and has its principal place of business in the State of *(name)*  
N/A.

*(If more than one plaintiff is named in the complaint, attach an additional page providing the same information for each additional plaintiff.)*

**2. The Defendant(s)****a. If the defendant is an individual**

The defendant, *(name)* N/A, is a citizen of  
the State of *(name)* N/A. Or is a citizen of  
*(foreign nation)* N/A.

b. If the defendant is a corporation

The defendant, (name) N/A, is incorporated under the laws of the State of (name) N/A, and has its principal place of business in the State of (name) N/A.  
 Or is incorporated under the laws of (foreign nation) N/A, and has its principal place of business in (name) N/A.

*(If more than one defendant is named in the complaint, attach an additional page providing the same information for each additional defendant.)*

3. The Amount in Controversy

The amount in controversy—the amount the plaintiff claims the defendant owes or the amount at stake—is more than \$75,000, not counting interest and costs of court, because *(explain)*:

Plaintiff's residence located at 382 Presbyterian Avenue was entered and searched on July 22<sup>nd</sup>, 2016 without a valid search warrant by defendants; Plaintiff was maimed during the warrantless arrest by T.A. Lacy and denied medical attention by Steven A. Sommers; Plaintiff was arrested without probable cause; Plaintiff was taken to Southern Regional Jail where he remained defenseless in a life threatening situation 24/7 for 14 months.

### III. Statement of Claim

Write a short and plain statement of the claim. Do not make legal arguments. State as briefly as possible the facts showing that each plaintiff is entitled to the damages or other relief sought. State how each defendant was involved and what each defendant did that caused the plaintiff harm or violated the plaintiff's rights, including the dates and places of that involvement or conduct. If more than one claim is asserted, number each claim and write a short and plain statement of each claim in a separate paragraph. Attach additional pages if needed.

See Statement of Claim attached ...

### IV. Relief

State briefly and precisely what damages or other relief the plaintiff asks the court to order. Do not make legal arguments. Include any basis for claiming that the wrongs alleged are continuing at the present time. Include the amounts of any actual damages claimed for the acts alleged and the basis for these amounts. Include any punitive or exemplary damages claimed, the amounts, and the reasons you claim you are entitled to actual or punitive money damages.

**III. Statement of Claims:**

On July 22<sup>nd</sup> 2016 Chief Detective Sergeant Steven A. Sommers did enter, without knocking on the door, a dwelling located at 382 Presbyterian Avenue in Lashmeet, West Virginia;

On July 22<sup>nd</sup> 2016 Chief Detective Sergeant Steven A. Sommers did search a dwelling located at 382 Presbyterian Avenue in Lashmeet, West Virginia without a search warrant;

On July 22<sup>nd</sup> 2016 Chief Detective Sergeant Steven A. Sommers did confiscate property from the premises without leaving a confiscation slip;

On July 22<sup>nd</sup> 2016 Chief Detective Sergeant Steven A. Sommers did refuse to order Deputy Sheriff T.A. Lacy to let go of me after admitting he never had a warrant for my arrest;

On July 22<sup>nd</sup> 2016 Chief Detective Sergeant Steven A. Sommers did assist Deputy Sheriff T.A. Lacy in escorting me to the Police Van and transported me to the Mercer County Sheriff's Department;

On July 22<sup>nd</sup> 2016 Chief Detective Sergeant Steven A. Sommers did order Deputy Sheriff Jerrimy Farmer to fingerprint in the Mercer County Sheriff's Department;

On July 22<sup>nd</sup> 2016 Chief Detective Sergeant Steven A. Sommers did hear me holler out in pain as Deputy Sheriff Jerrimy Farmer was trying to fingerprint my left hand, came in the printing room and asked: "Have we hurt you in any way?" I said: "Yes, you heard me holler out when that Deputy twisted my arm behind my back and cracked something in my wrist";

On July 26<sup>th</sup> 2016 Chief Detective Sergeant Steven A. Sommers did perjure himself on the witness stand;

On March 28<sup>th</sup> 2016 Chief Detective Sergeant Steven A. Sommers perjured himself on the witness stand on several different occasions;

All in violation of my rights as guaranteed by the United States Constitution and the Laws of the Land.

On March 15<sup>th</sup> 2018 I was proven not guilty on all three counts.

**IV. Relief:**

I am respectfully requesting this Honorable Court to Grant me \$10,000 damages for each and every Constitutional Violation committed against myself by Chief Detective Sergeant Steven A. Sommers and any other relief this Honorable Court deems just and appropriate. It is forever Prayed.

**III. Statement of Claim:**

On July 22<sup>nd</sup> 2016 Deputy Sheriff T.A. Lacy did enter a dwelling located at 382 Presbyterian Avenue in Lashmeet, West Virginia without knocking on the door;

On July 22<sup>nd</sup> 2016 Deputy Sheriff T.A. Lacy did search a dwelling located at 382 Presbyterian Avenue without a search warrant;

On July 22<sup>nd</sup> 2016 Deputy Sheriff T.A. Lacy did continue searching a dwelling located at 382 Presbyterian Avenue without a search warrant after being asked to leave the premises;

On July 22<sup>nd</sup> 2016 Deputy Sheriff T.A. Lacy did confiscate property from the premises without leaving a confiscation slip;

On July 22<sup>nd</sup> 2016 Deputy Sheriff T.A. Lacy did sneak up behind me, grab hold of my left hand, twisted my arm behind my back injuring my left wrist severely;

On July 16<sup>th</sup> 2016 Deputy Sheriff T.A. Lacy did escort me to the Police Van, placed me inside the back seat and transported me to the Mercer County Sheriff's Department;

All in violation of my rights as guaranteed by the United States Constitution and the Laws of the Land.

On March 15<sup>th</sup> 2018 I was proven not guilty on all three counts.

**IV. Relief:**

I am respectfully requesting this Honorable Court to Grant me \$10,000 damages for each and every Constitutional Violation committed against myself by Deputy Sheriff T.A. Lacy and any other relief this Honorable deems just and appropriate. It is forever Prayed.

See Relief Requested attached ...

## V. Certification and Closing

Under Federal Rule of Civil Procedure 11, by signing below, I certify to the best of my knowledge, information, and belief that this complaint: (1) is not being presented for an improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation; (2) is supported by existing law or by a nonfrivolous argument for extending, modifying, or reversing existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Rule 11.

### A. For Parties Without an Attorney

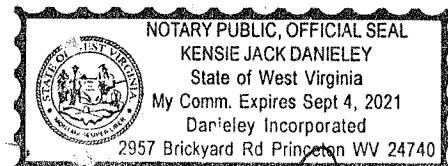
I agree to provide the Clerk's Office with any changes to my address where case-related papers may be served. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.

Date of signing: 03/14/2019

Signature of Plaintiff

Printed Name of Plaintiff

*Larry A. Young*  
Larry Arnold Young



### B. For Attorneys

Date of signing: \_\_\_\_\_

Signature of Attorney

Printed Name of Attorney

Bar Number

Name of Law Firm

Street Address

State and Zip Code

Telephone Number

E-mail Address